

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2016, LEGISLATIVE DAY NO. 12
July 5, 2016 6:00 P.M.

A. The meeting was called to order by Chairwoman Almond at 6:13 P.M. The Chairwoman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 70 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES, JR.	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
TODD K. CRANDELL	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilwoman Bevins, seconded by Councilman Jones, the reading of the Journal Entries for the meeting of June 6, 2016 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chairwoman stated that the following Bills were passed by the County Council and signed by the County Executive. She certified and delivered to the Secretary, Bills 38-16, 39-16 and 40-16.

D. INTRODUCTION OF BILLS

Bill 45-16, entitled An Act for the purpose of providing for the purpose of amending the 2016-2017 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state funds and made available to the County through the Maryland Department of Environment.

Bill 46-16, entitled An Act for the purpose of prohibiting discrimination against a person in the rental, sale, listing, representation or soliciting of housing based on source of income; prohibiting discrimination based on source of income in a restrictive covenant; providing for a certain exception; amending certain definitions; defining a certain term; and generally relating to discrimination in housing on the basis of source of income.

Bill 47-16, entitled An Act for the purpose of amending the 2016-2017 Current Expense Budget and Capital Budget, by appropriating monies derived from unexpended and unencumbered General Fund balance and funds returned from an outside agency through the General Fund to the Capital Improvement Fund, and by appropriating monies anticipated from the State of Maryland to the Capital Improvement Fund.

Bill 48-16, entitled An Act for the purpose of creating the Fort Howard Overlay District; stating the legislative intent of the District; providing for the application of the District; specifying the uses permitted and the restrictions on such uses in the District; specifying the uses prohibited; providing for density control; specifying standards for development and open space, and special regulations for the District; and generally relating to the Fort Howard Overlay District.

Bill 49-16, entitled An Act for the purpose of establishing the Downtown Towson District; repealing provisions relating to the C.T. District of Towson; repealing obsolete provisions; specifying the requirements and design guidelines for the Downtown Towson District; revising the duties of the Baltimore County Design Review Panel; providing that certain development, including development in the Downtown Towson District, is subject to Design Review Panel review; providing for the effect of a Design Review Panel recommendation; providing for the application of the Act; and generally relating to the Downtown Towson District.

Bill 50-16, entitled An Act for the purpose of creating the Towson Legion Triangle Overlay District; stating the legislative intent of the District; providing for the application of the District; specifying the uses permitted and the restrictions on such uses in the District; specifying the uses prohibited; specifying standards for development and open space, and special regulations for the District; and generally relating to the Towson Legion Triangle Overlay District.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 42-16, Recreation and Parks - Enforcement Authority of Recreation and Parks Personnel, was called. Barry Williams appeared. Councilmember Quirk, Kach, Jones and Marks commented. Councilmembers Jones and Kach questioned Mr. Williams. Councilman Quirk then moved to amend this Bill with the following amendments:

1. On page 4, in line 22, after "PURPOSES;" insert "OR"; and strike from "HUNT" in line 23 through "(4)" in line 25.

2. On page 5, in line 18, after "(1)", insert:

"IN THIS SUBSECTION, "WEAPON" MEANS:

(I) A DEVICE CAPABLE OF PROPELLING A PROJECTILE AT HIGH VELOCITY BY MECHANICAL MEANS, BY EXPLOSION, OR BY EXPANDING GAS, INCLUDING, A FIREARM, CROSSBOW, OR LONGBOW;

(II) A DIRK KNIFE, BOWIE KNIFE, SWITCHBLADE, SAND CLUB METAL KNUCKLES, RAZOR, NUNCHAKU, OR DART; AND

(III) A DEVICE CAPABLE OF:

1. INFLECTING DEATH OR BODILY HARM TO AN INDIVIDUAL;
2. MAIMING OR DESTROYING WILDLIFE; OR
3. DESTROYING PROPERTY.

(2)";

strike from "FIREARM" on line 20 through "DANGEROUS" on line 21; after line 21, insert:

"(3)(I) DURING HUNTING SEASON, A LICENSED HUNTER MAY CARRY FIREARMS AND BOWS AND ARROWS ACROSS A PARK IN ORDER TO GET TO OTHER PROPERTY THAT IS OPEN TO HUNTING.

(II) THE FIREARMS SHALL BE CARRIED UNLOADED AND CASED, OR CARRIED UNLOADED WITH BREECH BROKEN OPEN. (III) ARROWS SHALL BE

CARRIED IN A QUIVER OR CASE.";

and in line 22, strike "[(1)] (2)" and substitute "(4)".

Councilman Kach seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell

Nay - None

Councilman Marks then moved to amend this Bill with the following amendments:

1. On page 7, in line 20, strike "ICE" and substitute "A FROZEN BODY OF WATER"

2. On page 8, strike lines 9 and 10; in lines 11, 15 on page 8 and lines 1, 3, 13, and 17 on page 9, strike "T", "U", "V", "W", "X" AND "Y" and substitute, respectively, "S", "T", "U", "V", "W", and "X".

Councilman Kach seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell

Nay - None

Councilman Crandell then moved to amend this Bill with the following amendment:

1. On page 5, in line 18, strike “a” and substitute “AN ACTIVE OR RETIRED”

Councilman Kach seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Kach, Jones, Marks, Bevins, Crandell
Nay - Almond

Councilman Crandell then moved to amend this Bill with the following amendments:

1. On page 5, in line 18, after “officer”, insert “, OR A PERSON WITH A VALID WEAR AND CARRY PERMIT ISSUED BY THE MARYLAND STATE POLICE,”

Councilman Kach seconded the motion and then moved to amend the amendment as follows:

On page 5, in line 18, after “officer”, insert “, OR A PERSON WITH A VALID 24 HOUR WEAR AND CARRY PERMIT ISSUED BY THE MARYLAND STATE POLICE,”

Councilman Crandell seconded the motion to amend the amendment, and this amendment failed by the following roll call vote:

Aye - Kach, Marks, Crandell
Nay - Quirk, Almond, Jones, Bevins

Thereafter, Councilman Crandell’s original motion, as seconded by Councilman Kach, was then called for vote, and this amendment failed by the following roll call vote:

Aye - Kach, Marks, Crandell
Nay - Quirk, Almond, Jones, Bevins

Thereafter, upon motion by Councilman Quirk, seconded by Councilwoman Bevins, Bill 42-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Jones, Bevins
Nay - Kach, Marks, Crandell

Bill 43-16, Animal Services - Disposition of Animals, was called. Dr. Gregory Branch appeared. Councilmembers Jones, Kach, Quirk and Almond commented. Councilman Kach then moved to amend this Bill with the following amendments:

1. On page 3, in line 21, after “ANIMAL.”, insert “THE EFFORT TO NOTIFY THE OWNER SHALL INCLUDE:
(1) PUBLICATION VIA SOCIAL MEDIA; OR
(2) TELEPHONE; OR
(3) EMAIL.”

Councilman Quirk seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Kach, seconded by Councilman Quirk, Bill 43-16, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 44-16, This Bill was withdrawn prior to the meeting.

F. APPROVAL OF FISCAL MATTERS

The Chairwoman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council's work session on June 28, 2016. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairwoman Almond then called upon the Secretary to read the cover letter for Fiscal Matters 1 through 3, 5 through 8 and 10 through 18. Fiscal Matter 4 was withdrawn prior to the meeting and Fiscal Matter 9 was deferred to a later date.

1. Contract - Aviation Specialties Unlimited, Inc. - Inspection services - Night vision goggles - Police

A contract with Aviation Specialties Unlimited, Inc., to provide inspection services for the night vision goggles used by the Police Department's Aviation Unit, according to the manufacturer's conformity specifications and FAA requirements.

2. Contracts - (3) - Clean-up - Derelict buildings/vacant lots - PAI

Three contracts with H.F. Huber and Son, LLC, Gonce Enterprise, Inc., and LMC Landscaping, Inc., to provide for clean-up of derelict buildings and vacant lots, to include all labor, tools, equipment, vehicles, fuel, supervision, transportation costs, tipping fees, contractor-provided portable power source and all other incidentals needed.

3. Contracts - (2) - On-call landscaping services - OBF

Two contracts with Lorenz, Inc. And Classic Lawn and Landscape, Ltd., to provide on-call landscaping services at various County owned and/or operated sites.

4. Contract - Indian River Equipment Company - Parts/service - R.S. Technologies Sewer Camera Equipment - PW

This Fiscal Matter was withdrawn prior to the meeting.

5. Amendment to Contract - Abilities Network, Inc. - Healthy Families home visiting services - HHS

An amendment to the contract with Abilities Network, Inc., to extend the term by one calendar year, with minor additions to service.

6. Contract - Associated Catholic Charities, Inc., Villa Maria - Youth therapeutic after-school program - HHS

A contract with Associated Catholic Charities, Inc., Villa Maria, to provide therapeutic after school program for Baltimore County youth. The services are open to any Baltimore County child, age 5 through 12 with Medicaid, who has a mental health diagnosis.

7. Contracts - (2) - Child and Adolescent Diversion Programs - HHS

Two contracts with Institute for Family Centered Services, Inc. And Associated Catholic Charities, Inc., to provide child and adolescent diversion programs for Baltimore County youth. The intent of the program is to ensure that youth are able to access services to divert from higher levels of care and remain in their homes and communities.

8. Contracts - (2) - Wellness and Recovery Program Services - HHS

Two contracts with On Our Own, Inc., and Prologue, Inc., to provide wellness and recovery program services for Baltimore County residents child and adolescents diversion programs to support Baltimore County residents who are in recovery with a mental health disorder. Wellness and Recovery Programs provide non-treatment activities to support and enhance the lives of mental health consumers.

9. Contract - On Our Own, Inc. - Peer run Recovery Community Center (RCC) - Dundalk - HHS

This Fiscal Matter was deferred to a later date.

10. Contract - Mental Health Association of Maryland, Inc. - Support services - PEERS program - HHS

A contract with Mental Health Association of Maryland, Inc., to provide support services to Baltimore County, over 60 years of age, who have late onset mental health diagnoses through the implementation of the Senior Peer Partnership and Education Programs (PEERS).

11. Contract - Personal Touch Home Care - On-call health services - HHS

A contract with Personal Touch Home Care of Baltimore, Inc., to provide on-call health services to County resident in the home. These home health services consist of intermittent, medically skilled care including nursing, physical therapy, occupational therapy, speech therapy, medical social work and home health aides.

12. Contract - Prologue, Inc. - Comprehensive Outreach Program - Homeless - Mental Illness - HHS

A contract with Prologue, Inc., to provide a comprehensive outreach program for individuals who are homeless and who have a mental illness diagnosis. The purpose of the program is to link these individuals with proper mental health services, with the goal of moving from the street or shelter into self-sufficiency and permanent housing.

13. Amendment to Lease - St. John Properties, Inc. - 2622 Lord Baltimore Drive - Suites J-L, 21244 - HHS

An amendment to the lease between St. John Properties, Inc., to extend the term of the lease, for the property located at 2622 Lord Baltimore Drive, Suite J-L, in Baltimore, Maryland 21244, for an additional 5 years. The County will continue to run a Woman, Infants and Children (WIC) program at this location.

14. Contract - Curtis Bay Energy, Inc. - Services - Animal carcass disposal, pick-up & transportation - HHS

A contract with Curtis Bay Energy, Inc., to provide services for weekly animal carcass disposal, pick-up, transportation and disposal from Baltimore County animal services, per Environmental Protection Agency guidelines.

15. Contract of Sale - Joshua Lashley - 317 Worthington Road, 21286 - REC

A contract of sale with Joshua Lashley, to purchase a parcel of land, located at 317 Worthington Road, Towson, Maryland 21286.

16. Contract of Sale - Mark Anton Van Bavel - 810 Stevenson Lane, 21286 - REC

A contract of sale with Mark Anton Van Bavel, to purchase a parcel of land, located at 801 Stevenson Lane, Towson, Maryland 21286.

17. Parking Agreement - The Vestry of St. Thomas Church, Homestead - parking spaces - 1108 Providence Rd. - REC

A parking agreement with The Vestry of St. Thomas Church, Homestead, to acquire a total of 120 parking spaces, located at 1108 Providence Road, in Towson, Maryland 21286, for the employees of the Public Safety Building, during the renovations and improvements of an onsite parking structure.

18. Contracts - (2) - Renovation/repair of tennis and basketball courts - OBF

Two contracts with American Tennis Courts, Inc. and The American Asphalt Paving Co., LLC, to provide for the renovation and/or repair of tennis and basketball courts at various County-owned and/or operated sites within the boundaries of Baltimore County; to include all labor, materials, tools, equipment, supervision, services, incidentals and related items needed to complete the work.

Councilman Marks commented. There being no further discussion, upon motion by Councilman Marks, seconded by Councilwoman Bevins, Fiscal Matters 1 through 3, 5 through 8 and 10 through 18 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

At the direction of the Chairwoman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during May, 2016.

2. Reappointment - Baltimore County Ethics Commission - Carey Deeley, Jr.

At the direction of the Chairwoman, the Secretary read this correspondence from the County Executive requesting the reappointment of Carey Deeley, Jr., to the Baltimore County Ethics Commission. There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Jones, this reappointment was unanimously approved.

3. Res. 70-16 - Extension of Metropolitan District Boundaries - Berrymans Lane

At the direction of the Chairwoman, the Secretary read this Resolution concerning the extension of the Metropolitan District Boundaries to include 27.7932 acres of land on the east side of Berrymans Lane south of Nicodemus Road for the purpose of providing public water and sewer services. Steve Walsh appeared. Councilman Jones commented. There being no further discussion, upon motion by Councilman Jones, seconded by Councilman Kach, this Resolution was unanimously approved.

4. Res. 71-16 - Accept donation - Kubota Utility Vehicle - Marshy Point Nature Center

At the direction of the Chairwoman, the Secretary read this Resolution to authorize the County to accept the donation of a Kubota Utility Vehicle valued at Twenty-Thousand Five-Hundred and Fifty-Seven dollars (\$20,557) from the Marshy Point Nature Center Council. Barry Williams appeared. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilman Quirk, this Resolution was unanimously approved.

5. Res. 72-16 - Accept donation - Kubota Utility Vehicle - Cromwell Valley Park

At the direction of the Chairwoman, the Secretary read this Resolution to authorize the County to accept the donation of a Kubota Utility Vehicle valued at Twenty-Thousand Five-Hundred and Fifty-Seven dollars (\$20,557) from the Cromwell Valley Park Council. Barry Williams remained. There being no discussion, upon motion by Councilman Kach, seconded by Councilwoman Bevins, this Resolution was unanimously approved.

6. Res. 73-16 - Conditional Purchase Agreement - Equipment

At the direction of the Chairwoman, the Secretary read this Resolution approving the execution and delivery by Baltimore County, Maryland of a conditional purchase agreement in an amount not to exceed \$63,715,000 in order to finance the costs of certain equipment useful and necessary for the use and benefit of the County and its agencies; providing that the County's obligation to make lease payments under the Conditional Purchase Agreement shall be subject to annual appropriation by the County Council and shall not constitute indebtedness of the County; and generally providing for other matters related to the execution and delivery of the Conditional Purchase Agreement by the County. Keith Dorsey appeared. There being no discussion, upon motion by Councilman Jones, seconded by Councilman Quirk, this Resolution was unanimously approved.

7. Res. 74-16 - Property Tax Exemption - DAV - William V. Elliott

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from William V. Elliott, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Kach, this Resolution was unanimously approved.

8. Res. 75-16 - Property Tax Exemption - DAV - Surviving Spouse - Deborah Swilley

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Deborah Swilley, who is entitled to an exemption from real property taxes by reason of the exemption afforded to surviving spouses of disabled veterans under State law. There being no discussion, upon motion by Councilman Jones, seconded by Councilwoman Almond, this Resolution was unanimously approved.

9. Res. 76-16 - Property Tax Exemption - DAV - Dominika S. Polynice

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Dominika S. Polynice, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Jones, seconded by Councilman Quirk, this Resolution was unanimously approved.

10. Res. 77-16 - Property Tax Exemption - DAV - Patrick T. Morgan

At the direction of the Chairwoman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Patrick T. Morgan, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Crandell, seconded by Councilman Quirk, this Resolution was unanimously approved.

11. Res. 78-16 - Revenue Bond - Maryvale Preparatory School

This Resolution was for introduction only.

12. Res. 79-16 - Maryland Faith Community Network

This Resolution was for introduction only.

13. Res. 80-16 - Planned Unit Development - The Villages of White Marsh

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Jones, seconded by Councilwoman Bevins, the meeting adjourned at 7:00 P.M.


Thomas J. Peddicord, Jr.